

## S.F. No. 834 – PFAS in Certain Products Prohibition (As Amended by the A-1 Amendment)

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### Section1 [Products Containing PFAS]

**Subd. 1 [Definitions]** defines numerous terms used in the bill.

**Subd. 2 [Information Required; Sale Prohibited if Information Not Submitted]** beginning January 1, 2026, requires a manufacturer of a product for sale in this state that contains intentionally added PFAS, and that is not otherwise prohibited from sale under subdivision 5, to notify the commissioner of the function served by PFAS in the product, the amount of each PFAS in the product, and other relevant information. Requires that the information be periodically updated, as determined by the commissioner of the Pollution Control Agency (PCA).

Prohibits the sale, offering for sale, or distribution for sale, of products containing PFAS if the manufacturer has failed to submit the required information to the PCA and the person has been notified that the sale of the product is therefore prohibited.

**Subd. 3 [Waivers and Extensions]** authorizes the commissioner of the PCA to waive information requirements where the information is already publicly available or to extend a submission deadline where appropriate. Allows the commissioner to collaborate with other states or political subdivisions on the acceptance of information in a shared system.

**Subd. 4 [Testing and Certificate of Compliance]** if the commissioner has reason to believe that a product has intentionally added PFAS, the commissioner may require the manufacturer to provide PFAS test results to the commissioner within 30 days. If the test demonstrates that there are no PFAS in the product, the PCA must issue a certification of compliance to the manufacturer. If the testing shows that the product contains intentionally added PFAS, the manufacturer must provide the information required under subdivision 2 to the commissioner.

**Subd. 5 [Prohibitions]** beginning January 1, 2025, prohibits the sale, offering for sale, or distribution for sale of the following products if they contain intentionally added PFAS: carpets, rugs, cleaning products, cookware, cosmetics, dental floss, fabric treatments, juvenile products, menstruation products, textile furnishings, ski wax, or upholstered furniture. The commissioner is authorized to add additional products to this list.

Beginning January 1, 2032, prohibits the sale, offering for sale, or distribution for sale of any product that contains intentionally added PFAS, unless the commissioner has determined that the use of PFAS in the product is unavoidable.

**Subd. 7 [Fees]** authorizes the commissioner to charge a manufacturer a fee when the manufacturer submits information required under subdivision 2 to cover the agency's costs.

**Subd. 8 [Enforcement]** authorizes the PCA to use its general enforcement powers to enforce the bill.

**Subd. 9 [Exemptions]** exempts used products, products whose presence of PFAS in the product is governed by preemptive federal law, and products subject to specific state statutory prohibitions from the bill.

**Subd. 10 [Rules]** allows the commissioner to adopt rules to implement the bill.